

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JERRI SCHACK,

Plaintiff,

Case No. 03-70980

v.

HONORABLE DENISE PAGE HOOD

CITY OF TAYLOR, et al.,

Defendants.

ORDER

This matter is before the Court on remand from the Sixth Circuit Court of Appeals. The Court of Appeals issued an Order on April 17, 2006 reversing this Court's Order Granting in Part and Denying in Part Defendants' Motion for Summary Judgment. A Mandate was issued on August 11, 2006.

In accordance with the Mandate entered on August 11, 2006, the Court hereby vacates the March 23, 2005 Memorandum Opinion and Order and grants Defendants' Motion for Summary Judgment.

Accordingly,

IT IS HEREBY ORDERED that the March 23, 2005 Memorandum Opinion [**Docket No. 30, filed March 23, 2005**] is VACATED.

IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment [**Docket No. 27, filed June 25, 2004**] is GRANTED.

IT IS FURTHER ORDERED that Defendants City of Taylor, Police Officer Michowski, Police Officer Shrewsburg, Cadet Yesta, Cadet James Pilcheck, and Cadet Brian Kreger are

DISMISSED.

IT IS FURTHER ORDERED that Plaintiff is to file a written order to show cause as to why the remaining Defendants, Police Officer Michael Zachary, Cadet Jones, and Cadet Michalik, should not be dismissed for failure to prosecute, by **September 14, 2006**.

/s/ Denise Page Hood
DENISE PAGE HOOD
United States District Judge

DATED: August 25, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 25, 2006, by electronic and/or ordinary mail.

S/William F. Lewis
Case Manager